



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Philip W. Ching
 Appl. No. : 09/781,685
 Filed : February 12, 2001
 For : HIERARCHICAL DOCUMENT
 CROSS-REFERENCE SYSTEM
 AND METHOD
 Examiner : Adam M. Queler
 Group Art Unit : 2179

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

May 27, 2005

(Date)

Mark J. Kertz

Mark J. Kertz, Reg. No. 43,711

RESPONSE TO REQUIREMENT FOR INFORMATION UNDER 37 C.F.R. § 1.105

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Applicant submits the following response to the Requirement for Information mailed March 1, 2005.

In response to paragraph 2 of the Requirement for Information, the Examiner's statement that "it appears clear that the underlined words of Screen 5 [of the Screenshots submitted in the Information Disclosure Statement filed on December 2, 2004; hereinafter, "Screenshots"] were the original search terms" is incorrect. Screen 5 shows the results of a comparison of two documents which are selected by the user in Screen 3. Some terms are underlined in Screen 5 to highlight the differences between the two selected documents as a result of the comparison. Note the differences between the underlined terms on the left-side and right-side portions of the screen:

LEFT SIDE	RIGHT SIDE
"vrN,	"vrN",
vsN",	"vsN",
integer.	either an integer or the character "e".

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For similar reasons, the Examiner's further statement in paragraph 2 that "the cited Screenshots appear to be identical to the exhibit shown to the Examiner during the Interview of 11/4/2004" is incorrect. For example, the system demonstrated to the Examiner in the Interview of 11/4/2004 employed a keyword search, whereas the system in the Screenshots does not.

In further response to paragraph 2 of the Requirement for Information, the Ching/White Paper reference (hereinafter, "White Paper") cited by the Examiner in the Requirement is not prior art to the present application. See attached Declaration of Philip Ching at paragraphs 4-5, Exhibits B-C, establishing that the White Paper was not published more than one year before the filing date of the present application.

As further evidence of the nonpublication of the White Paper prior to the critical date, the accompanying Information Disclosure Statement lists six versions of the aplixsearch.com website (copies enclosed). The six listed versions were identified and obtained using the "Waybackmachine" website archive operated at web.archive.org. A copy of the archive maintained for aplixsearch.com is attached as Exhibit A. The six listed versions of the aplixsearch.com website were selected based on the dates that the Waybackmachine archive indicates as containing changes to the site. The White Paper does not appear in the aplixsearch.com website archives until Version 6, dated October 2004. The White Paper is absent from all of the preceding Versions 1 through 5.

In response to paragraph 3 of the Requirement for Information, copies of the requested references are submitted with the accompanying Information Disclosure Statement.

In response to paragraphs 4 and 5 of the Requirement for Information, the Assignee Aplix Research, Inc. has marketed software packages under the product/service names DPMA ("Dynamic Project Management Aid" or "Dynamic Program/Project Management Aid"), AIDA ("Aplix Intelligent Document Aid"), Intelligent Library, Intelligent Document System, Electronic File Cabinets, and Power Search.

These software packages marketed by the Assignee have typically comprised one or more sub-components for accomplishing specific tasks.

A subcomponent embodying the system of the above-noted Screenshots and called Side-by-Side (or "SbyS") Comparison (emphasis added) has been included in at least some of the Aplix software packages listed above.

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A subcomponent covered by one or more of the claims of the present application and called Side-by-Side (or "SbyS") Cross-Reference (emphasis added) has been included in at least some of the Aplix software packages listed above.

In response to paragraph 6 of the Requirement for Information, the system demonstrated at the Interview of 11/4/2004 is not the one depicted in the cited Screenshots, and a keyword search is not inherent in the system of the cited Screenshots. See response to paragraph 2 set forth above.

Conclusion

The present Response, as well as the accompanying Information Disclosure Statement and Declaration, are made with the information and documents presently known to and in possession of the Applicant and Assignee. The Applicant and Assignee reserve the right to cancel, modify or supplement any of the present Response, Information Disclosure Statement or Declaration as any additional information, documents, etc. become available.

The undersigned has made a good faith effort to respond to all of the issues raised in the Requirement for Information. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney, Mark J. Kertz at (949) 721-6318 to resolve such issue(s) promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: May 27, 2005

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